

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MARY HORN and FREDERICK HORN, SR.,
Individually and as Beneficiaries of the Estate of
FREDERICK HORN, JR.

Case No. 1:10-cv-06082-JSR

Plaintiffs,

- against -

BANK OF AMERICA CORP., BANK OF
AMERICA GROUP BENEFITS PROGRAM
("THE PLAN"), FMR, LLC and METLIFE, INC.,

Defendants.
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**NOTICE OF MOTION TO
ADMIT COUNSEL
PRO HAC VICE**

FILED
U.S. DISTRICT COURT
S.D. OF N.Y.
2010 OCT 28 AM 11:38

PLEASE TAKE NOTICE that upon the annexed affidavits of Jonathan B. Bruno and Gina D. Wodarski in support of this motion and the Certificate of Good Standing annexed thereto, on a date and time to be determined by the Court, the undersigned attorneys for the Defendants, BANK OF AMERICA CORP. and FMR, LLC, will move before the United States District Court for the Southern District of New York, 500 Pearl Street, New York, New York, for an Order, pursuant to Rule 1.3(c) of the Local Rules of the United States District Court for the Southern District of New York, permitting the admission *pro hac vice* of Gina D. Wodarski, Esq. to appear and participate in the above-captioned matter. The moving party consents to a disposition of its motion upon submissions.

Dated: New York, New York
October 28, 2010

Respectfully submitted,

KAUFMAN BORGES & RYAN LLP

By: Jonathan B. Bruno
Jonathan B. Bruno

Deborah M. Zawadzki
Attorneys for Defendants
BANK OF AMERICA CORP.
and FMR, LLC
120 Broadway, 14th Floor
New York, New York 10271
(212) 980-9600
KBR File No.: 860.230

To: Jeffrey W. Padilla, Esquire
Padilla & Associates, PLLC
Attorneys for Plaintiffs
845 Third Avenue – 6th Floor
New York, NY 10022

Michael Bernstein, Esq.
Sedgwick Deter Moran & Arnold, LLP
Attorneys for Defendants
BANK OF AMERICA GROUP BENEFITS
PROGRAM and METLIFE, INC.
125 Broad Street – 39th Floor
New York, New York 10004

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MARY HORN and FREDERICK HORN, SR.,
Individually and as Beneficiaries of the Estate of
FREDERICK HORN, JR.

Case No. 1:10-cv-06082-JSR

Plaintiffs,

- against -

BANK OF AMERICA CORP., BANK OF
AMERICA GROUP BENEFITS PROGRAM
("THE PLAN"), FMR, LLC and METLIFE, INC.,

**AFFIDAVIT OF JONATHAN
B. BRUNO IN SUPPORT OF
MOTION TO ADMIT
COUNSEL PRO HAC VICE**

Defendants.
----- x

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

JONATHAN B. BRUNO, an attorney duly admitted to practice law before the Courts of the State of New York since 1996, hereby affirms the following under penalties of perjury, and upon information and belief:

1. I am a member of the firm Kaufman Borgeest & Ryan LLP, 120 Broadway, New York, New York, attorneys for Defendants in this matter. As such, I am fully familiar with the facts and circumstances herein.

2. This Affidavit is submitted on behalf of Defendants, in support of the instant motion which seeks an Order permitting the admission *pro hac vice* of Gina M. Wodarski, Esq. to appear and participate in the above-captioned matter.

3. I am an attorney in good standing of the Bar of the State of New York. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

4. Gina M. Wodarski is Counsel at Edwards Angell Palmer & Dodge LLP in Boston, Massachusetts.

5. To the best of my knowledge, Gina M. Wodarski is an attorney in good standing in the Commonwealth of Massachusetts, has never had any grievance filed against her and has never been reprimanded, suspended, placed on inactive status, disbarred or denied admission to any other court. Nor has Gina M. Wodarski ever resigned from the practice of law.

6. I know of no fact that would call into question the integrity or character of Gina M. Wodarski.

7. There is good cause to admit Gina M. Wodarski to practice before this Court insofar as she has specialized knowledge of the matters at issue in this case and because the law firm of Edwards Angell Palmer & Dodge LLP has a long-standing relationship with Bank of America Corp. Accordingly, Gina M. Wodarski's admission *pro hac vice* to represent the Defendants is in the interest of justice and is for the personal and financial welfare of the Defendants.

8. Gina M. Wodarski is experienced in Federal practice and is familiar with the Federal Rules of Procedure.

9. Accordingly, I am pleased to move for the admission of Gina M. Wodarski, *pro hac vice*.

10. Annexed hereto is a Proposed Order concerning this application.

CONCLUSION

WHEREFORE, it is respectfully requested that the Court issue an Order permitting the admission *pro hac vice* of Gina M. Wodarski, Esq. to appear and participate in the above-captioned matter.

Sworn to before me this 28th
day of October, 2010

Regina Hassarkey
Notary Public

Jonathan B. Bruno
Jonathan B. Bruno

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- x
MARY HORN and FREDERICK HORN, SR.,
Individually and as Beneficiaries of the Estate of
FREDERICK HORN, JR.

Case No. 1:10-cv-06082-JSR

Plaintiffs,

**ORDER FOR ADMISSION TO
PRACTICE PRO HAC VICE**

- against -

BANK OF AMERICA CORP., BANK OF
AMERICA GROUP BENEFITS PROGRAM
("THE PLAN"), FMR, LLC and METLIFE, INC.,

Defendants.
----- x

Upon the motion of Jonathan B. Bruno, attorney for Defendants and said sponsor's
affidavit in support;

IT IS HEREBY ORDERED that

Applicant Name:	Gina D. Wodarski, Esquire
Firm Name:	Edwards Angell Palmer & Dodge LLP
Address:	111 Huntington Avenue
City/State/Zip:	Boston, MA 02199
Telephone:	(617) 239-0100
Fax:	(617) 227-4420

is admitted to practice pro hac vice as counsel for Defendants Bank of America Corp. and FMR
in the above-captioned case in the United States District Court for the Southern District of New
York. All attorneys appearing before this Court are subject to the Local Rules of this Court,
including the Rules governing discipline of attorneys. If this action is assigned to the Electronic

Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the pro hac vice fee to the Clerk of Court.

Dated: New York, New York
October 28, 2010

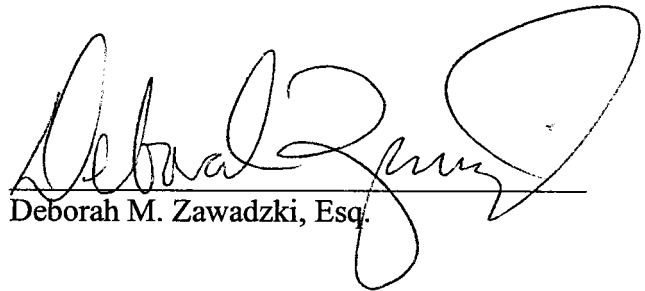
United States District/Magistrate Judge

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Motion to Admit Counsel Pro Hac Vice, Affidavit of Jonathan B. Bruno in Support of Motion to Admit Counsel Pro Hac Vice, Affidavit of Gina M. Wodarski in Support of Motion to Admit Counsel Pro Hac Vice and Order for Admission Pro Hac Vice has been served on October 28, 2010 via First Class postage prepaid US Mail on the following:

Jeffrey W. Padilla, Esquire
Padilla & Associates, PLLC
845 Third Avenue – 6th Floor
New York, NY 10022

Michael Bernstein, Esq.
Sedgwick Deter Moran & Arnold, LLP
125 Broad Street – 39th Floor
New York, New York 10004



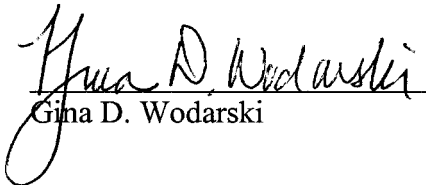
Deborah M. Zawadzki, Esq.

applicable to attorneys who practice law in the State of New York, and will faithfully adhere to all rules applicable in connection with any activities in this Court.

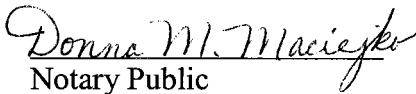
7. The law firm of Edwards Angell Palmer & Dodge LLP has a long-standing relationship with Bank of America Corp. Accordingly, my admission *pro hac vice* to represent Defendants is in the interest of justice and is for the personal and financial welfare of the Defendants.

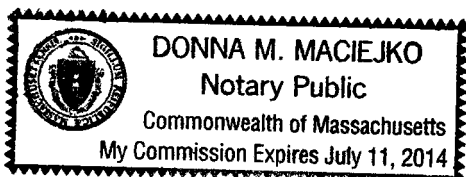
WHEREFORE, I respectfully request that I be permitted to appear *pro hac vice* as counsel for Defendants.

I declare under penalty of perjury that the foregoing is true and correct.


Gina D. Wodarski

Sworn to before me this
27th day of October, 2010


Notary Public



UNITED STATES DISTRICT COURT

DISTRICT OF

MASSACHUSETTS

CERTIFICATE OF
GOOD STANDING

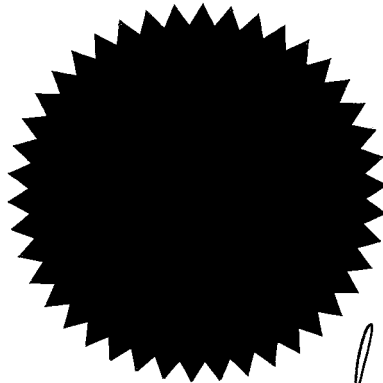
I, Sarah A. Thornton, Clerk of this Court,
certify that Gina D. Wodarski, Bar 644377,

was duly admitted to practice in this Court on

Noember 17, 2000, and is in good standing
DATE

as a member of the Bar of this Court.

Dated at Boston, Massachusetts on October 25, 2010.
LOCATION DATE



Sarah A. Thornton
CLERK

Leahy M. LaPier
DEPUTY CLERK

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

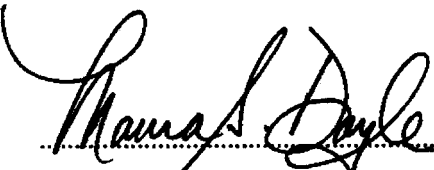
BE IT REMEMBERED, that at the Supreme Judicial Court holden at Boston within and for said County of Suffolk, on the **thirteenth** day of **December** A.D. **1999**, said Court being the highest Court of Record in said Commonwealth:

Gina Victoria DeSantis

being found duly qualified in that behalf, and having taken and subscribed the oaths required by law, was admitted to practice as an Attorney, and, by virtue thereof, as a Counsellor at Law, in any of the Courts of the said Commonwealth: that said Attorney is at present a member of the Bar, and is in good standing according to the records of this Court*.

In testimony whereof, I have hereunto set my hand and affixed the seal of said Court, this **twenty-sixth** day of **October** in the year of our Lord **two thousand and ten**.




MAURA S. DOYLE, Clerk

* Records of private discipline, if any, such as a private reprimand imposed by the Board of Bar Overseers or by any court, are not covered by this certification.